

UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA  
EASTERN DIVISION

CATHOLIC BENEFITS ASSOCIATION,  
DIOCESE OF FARGO, and CATHOLIC  
CHARITIES NORTH DAKOTA,

Plaintiffs,

v.

SYLVIA M. BURWELL, Secretary of the  
United States Department of Health and  
Human Services; UNITED STATES  
DEPARTMENT OF HEALTH AND  
HUMAN SERVICES; JENNY R. YANG,  
Chair of the United States Equal Employment  
Opportunity Commission; and UNITED  
STATES EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Defendants.

Case No. 3:16-cv-00432

DEFENDANTS' RESPONSE IN  
OPPOSITION TO PLAINTIFFS'  
EMERGENCY MOTION FOR  
TEMPORARY RESTRAINING  
ORDER

The United States Department of Justice, Civil Division, Federal Programs Branch, on behalf of all defendants (collectively the "United States"), submits the attached Letter from Sheila Lieber, United States Department of Justice, Civil Division, Federal Programs Branch, to the Honorable Judge Ralph R. Erickson, dated December 29, 2016 ("Attachment 1"), in response to Plaintiffs' Emergency Motion for Temporary Restraining Order, filed as Document 3.

As indicated in Attachment 1, the United States respectfully requests the Court allow the United States to incorporate by reference its arguments in Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction, previously filed as Document 10 in The Religious Sisters of Mercy, et al. v. Burwell, et al., U.S. District Court, District of North Dakota Case No. 3:16-cv-00386, which is currently pending before this Court.

Dated this 29th day of December, 2016.

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